

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIAM SCHULZ, et al.,

Plaintiffs

v.

JEREMY BEAN, et al.,

Defendants

Case No. 2:24-cv-00778-GMN-DJA

ORDER

On April 23, 2024, pro se plaintiffs William Schulz and Toney A. White III, inmates who are in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. (ECF No. 1-1). Neither Plaintiff has paid the full \$405 filing fee for this matter or filed an application to proceed *in forma pauperis*. (See ECF No. 1). Each Plaintiff is required to file his own application to proceed *in forma pauperis* or pay the \$405 filing fee.

I. DISCUSSION

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month**

1 **period.** See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*
2 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means
3 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

4 **II. CONCLUSION**

5 It is therefore ordered that each Plaintiff has **until July 8, 2024**, to either pay the
6 full \$405 filing fee or file a fully complete application to proceed *in forma pauperis* with all
7 three required documents: (1) a completed application with the inmate's two signatures
8 on page 3, (2) a completed financial certificate that is signed both by the inmate and the
9 prison or jail official, and (3) a copy of the inmate's trust fund account statement for the
10 previous six-month period.

11 The Plaintiffs are cautioned that this action will be subject to dismissal without
12 prejudice if they fail to timely comply with this order. A dismissal without prejudice allows
13 Plaintiffs to refile the case with the Court, under a new case number, when Plaintiffs can
14 file complete applications to proceed *in forma pauperis* or pay the required filing fee.

15 The Clerk of the Court is directed to send Plaintiffs William Schulz and Toney A.
16 White III the approved form application to proceed *in forma pauperis* for an inmate and
17 instructions for the same and retain the complaint (ECF No. 1-1) but not file it at this time.

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19 DATED THIS 7th day of May 2024.

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23 DANIEL J. ALBREGTS
24 UNITED STATES MAGISTRATE JUDGE
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